

FEINBERG & MCBURNEY INVESTMENT CO. INC.
1060 KINGS HIGHWAY NORTH, SUITE 100
P.O. BOX 3210
CHERRY HILL, NEW JERSEY, 08034

609-482-1212

FAX: 609-482-7776

MEMORANDUM

TO : MR. THOMAS BUDROE,
REMOVAL ACTION BRANCH
EMERGENCY & REMEDIAL RESPONSE DIVISION
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II
2890 WOODBRIDGE AVENUE, BLDG. 209 (MS-211)
EDISON NJ 08837

C.C. CARL R. HOWARD, ESQ.
N.J. SUPERFUND BRANCH
OFFICE OF REGIONAL COUNSEL
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II
290 BROADWAY
NEW YORK NEW YORK, 10007-1866

FROM : MARGARET CAMPBELL, FEINBERG & MCBURNEY
MANAGING AGENT FOR JOSEPH PARISI ET ALS

8/1/96

RE: ROUTE 561 DUMP SITE (AKA GIBBSBORO DUMP SITE,
SHERWIN-WILLIAMS DISPOSAL SITE), ROUTE 561
NEAR MILFORD/KRESSON ROAD, BORO OF GIBBSBORO,
CAMDEN COUNTY, NEW JERSEY

REQUEST FOR INFORMATION PURSUANT TO §104 OF
CERCLA, 42 U.S.C. §9604

CONTINENTAL PLAZA SHOPPING CENTER
ROUTE 561, LAKEVIEW & MILFORD
GIBBSBORO, NEW JERSEY

PURSUANT TO YOUR REQUEST FOR INFORMATION ON THE ABOVE SITE RECEIVED IN THIS
OFFICE 7/31/96 THE FOLLOWING, TO THE BEST OF OUR KNOWLEDGE, ARE THE ANSWERS
TO QUESTIONS ON ATTACHMENT #2, REQUEST FOR INFORMATION.

258051



1. OWNER: JOSEPH PARISI ET ALS, C/O FEINBERG & MCBURNEY, 1060 KINGS HIGHWAY NORTH, SUITE 100, CHERRY HILL, NEW JERSEY, 08034.

PROPERTY: BLOCK 14.02, LOT 1, 71-83 S. LAKEVIEW DRIVE, (STRIP STORES), GIBBSBORO, NEW JERSEY. ADDITIONAL LOT #'S 815 L1.01
2. MR. PARISI - WENT TO THE SITE WITH JOE ZERBO, REAL ESTATE BROKER. THE SITE IS A STRIP SHOPPING CENTER. NO PICTURES WERE TAKEN.
3. MR. PARISI - NO ENVIRONMENTAL STUDY COMPLETED BEFORE THE PROPERTY WAS PURCHASED.
4. MR. PARISI - SEE ENCLOSED CLOSING STATEMENT. PURCHASED 1/12/1988 FROM MORRIS NOVACK.
5. MR. PARISI - NO INDIVIDUAL MADE ANY REPRESENTATIONS CONCERNING THE PHYSICAL CHARACTERISTICS OF THE SITE OR ANY PORTION THEREOF WHEN WE PURCHASED THE CENTER.
6. COPIES OF PRESENT LEASES ENCLOSED.
7. NO
8. N/A
9. MAJOR ACTIVITIES AT THE SITE SINCE DAY OF PURCHASE: SITE WAS ON SEPTIC SYSTEM. SEWER WAS INSTALLED AND COMPLETED IN FEBRUARY 1992.

LEASING ACTIVITIES: LEASING TO NEW TENANTS
10. ON 2/1/94 A REPRESENTATIVE FROM THE STATE OF NJ CAME INTO FEINBERG & MCBURNEY OFFICES AND TOLD US THE DIMARIA PROPERTY NEXT DOOR WAS CONTAMINATED BUT COULD NOT TELL US WHETHER THE CENTER WAS AT THAT MOMENT. NICK SONDNO DEPE INSPECTOR IDENTIFIED CONTINENTAL PLAZA AS A POTENTIAL SITE FOR REMEDIATION BY USING AN AERIAL OF THE SHERWIN WILLIAMS OPERATION.

ON 8/12/94 SEDANO CALLED AND INFORMED US THAT THEY FINISHED TESTING THE DIMARIA PROPERTY AND FOUND ARSENIC AND LEAD. THAT THE PROBLEM NOW GOES TO THE BUREAU OF STATE CASE MANAGEMENT. THERE IS THE POSSIBILITY OF GROUND WATER CONTAMINATION AND MORE THAN LIKELY THE PROPERTY UNDER THE PARKING LOT AT THE CENTER HAS CONTAMINANTS.

HE SAID THE GOOD NEWS IS THAT THE LEACH FIELD WAS TESTED AND NO CONTAMINANTS WERE FOUND THERE SO THE DRY CLEANER AT OUR CENTER WAS OFF THE HOOK.
11. UNPERMITTED DISCHARGE TO SURFACE WATERS OF STATE FROM A MALFUNCTIONING SEPTIC SYSTEM. IMMEDIATELY CEASED USE OF SEPTIC SYSTEM. SEPTIC SYSTEM WAS PUMPED DAILY AND PROPERTY TIED INTO SEWER.
12. NO
13. MORRIS NOVAK ASSOCIATES

1940 E. MARLTON PIKE
CHERRY HILL NJ 08003

PREVIOUS OWNER OF CENTER

14. MR. PARISI - YES: COPY ENCLOSED
15. SEPTIC TANKS WERE EMPTIED AND FILLED WHEN SEWER WAS INSTALLED.
16. NOT THAT WE ARE AWARE OF.
17. MR. PICCO - SHOULD I GET TOGETHER THE PAPERS FROM THE DEPT REGARDING THE UNPERMITTED DISCHARGE FROM THE SEPTIC SYSTEM INTO THE STREAM AND THE INFORMATION ABOUT PAYING THE FINE?
18. NOT TO OUR KNOWLEDGE
19. NOT TO OUR KNOWLEDGE
20. MR. PICCO - DOES THIS MEAN I NEED COPIES OF PLAN OF THE SITE? IE CONSTRUCTION PLANS ETC.? I HAVE PLANS
21. MORRIS NOVAK - PREVIOUS OWNER OF SITE
22. MARGARET CAMPBELL, SECRETARY, FEINBEERG & MCBURNEY, AGENT FOR JOSEPH PARISI ET ALS. FEINBERG & MCBURNEY, 1060 KINGS HIGHWAY NO., SUITE 100, CHERRY HILL, N.J. 08034. 609-482-1212.

STEVEN PICCO ESQ., PICCO, MACH, HERBERT, 50 W. STATE STREET, SUITE 1000,
TRENTON, N.J. 08607-1388. 609-393-2400

JOSEPH PARISI, 13 FROST AVENUE WEST, NO. EDISON, N.J. 08817, 908-548-0021



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

JUL 26 1996

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Joseph Parisi
c/o Feinberg and McBurney
Suite 120
409 Route 70 East
Cherry Hill, New Jersey 08034

Re: Route 561 Dump Site, (AKA: Gibbsboro Dump Site, Sherwin-Williams Disposal Site), Route 561 near Milford/Kresson Road, Borough of Gibbsboro, Camden County, New Jersey

Request for Information Pursuant to §104 of CERCLA, 42 U.S.C. §9604

Dear Mr. Parisi:

This letter seeks your cooperation in providing information and documents relating to the contamination of the Route 561 Dump Superfund Site in Gibbsboro, NJ ("Site").

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and the attached questions (Attachment #2) within 30 days of your receipt of this letter.

Following a request from the New Jersey Department of Environmental Protection, the EPA has identified hazardous substances, pollutants, or contaminants, at this location which include, but may not be limited to: arsenic, lead, antimony, barium, cadmium, chromium, copper, and cyanide.

Based upon our evaluation of conditions at the Site, EPA completed a removal action (as defined in Section 101(23) of CERCLA) at the Site on October 3, 1995. The removal action included: construction of a chain-link fence, placement of silt fencing in certain areas, and the collection of samples. This

cleanup was conducted pursuant to our authorities under the federal "Superfund" law (the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. Sections 9601-9675).

Under Section 104(e) (2) of CERCLA, 42 U.S.C. Section 9604(e) (2), EPA has broad information gathering authority which allows EPA to require persons to provide information and/or documents relating to the materials which have been or are generated, treated, stored, or disposed of at or transported to a facility; the nature or extent of a release of a hazardous substance or pollutant or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with requests for information.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 et seq.

Instructions on how to respond to the questions in Attachment #2 to this document are described in Attachment #1. Your response to this Request for Information should be postmarked or received at EPA within 30 calendar days of your receipt of this letter and should be sent to:

Thomas Budroe
Removal Action Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue, Bldg 209 (MS-211)
Edison, New Jersey 08837

with a copy to:

Carl R. Howard, Esq.
New Jersey Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway
New York, NY 10007-1866

If you have any questions about this letter, or would like to discuss this matter with EPA, you may contact Thomas Budroe, at (908) 906-6191.

Inquiries from attorneys should be addressed to Carl R. Howard, Esq. at (212) 637-3216. Your cooperation is appreciated.

Sincerely yours,

Kathleen C. Callahan

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

Enclosure

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

A. Directions

1. A complete and separate response should be given for each question.
2. Identify each answer with the number of the question to which it is addressed.
3. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
4. In answering each question, identify each individual and any other source of information (including documents) that was consulted in the preparation of the response to the question.
5. If you are unable to give a detailed and complete answer, or to provide any of the information or documents requested, indicate the reason for your inability to do so.
6. If you have reason to believe that an individual other than you may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
7. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
8. If anything is omitted from a document produced in response to this Request for Information, state the reason for and the subject matter of the omission.
9. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be more specific.
10. Whenever this Request for Information requests the identification of a natural person, or other entity, the person or entity's full name and present or last known address also should be provided.

B. Definitions

1. As used herein, at this time, the terms "Route 561 Dump Site" or the "Site" shall refer to the fenced area enclosing what is currently known as Block 18.07, Lot 9 and portions of Block 14.02, Lot 1 and Block 18.07, Lot 10 in the Borough of Gibbsboro, Camden County, New Jersey.
2. The term "you" or "respondent" shall mean the addressee of this Request for Information.
3. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. §9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 CFR Part 302.
4. As used herein, the terms "hazardous waste," "disposal" and "storage" shall have the meanings set forth in Sections 1004(5), (3) and (33) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6903(5), (3) and (33), respectively.
5. The term "waste" or "wastes" shall mean hazardous waste, industrial waste, hazardous substances, residues or by-products, including paint wastes and pollutants or contaminants, whether solid, liquid or sludge.
6. The term "release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant).
7. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known employer and business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, occupation, position or business.
8. With respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) the term "identify" means to provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.

9. The term "document" and "documents" includes any written, recorded computer generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.
10. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions apply.

REQUEST FOR INFORMATION

1. State your full name, your mailing address, and the portion of the Site which you currently own or owned in the past.
2. With regard to your first visit to the Site, describe the physical characteristics of the Site and your observations during the visit, and identify all individuals who were present at the Site during the visit. Provide copies of all photographs taken by you or on your behalf in connection with the visit.
3. Have you, or anyone hired by you, ever conducted an environmental assessment, inspection, investigation, or cleanup of the Site or any portion of the Site? If yes, please provide a copy of all relevant documents, including the nature of each activity and the costs incurred for each activity.
4. From whom and when was the Site or any portion of the Site purchased?
5. Did any individuals involved during your purchase of the Site, or any portion of the Site, make any representations concerning the physical characteristics of the Site or any portion of the Site including the land and the soil? If yes, describe all representations made and provide all relevant documents.
6. Provide copies of all past and present leases, if any, with respect to the Site or any portion of the Site.
7. Have you ever sold any portion of the Site?
8. Did you, during your sale of any portion of the Site, make any representations concerning the physical characteristics of the Site including the land and the soil? If yes, describe all representations made and provide all relevant documents.
9. What activities have you conducted at the Site, or on any portion of the Site, from your date of purchase until now.
10. Were you aware at any time from your date of purchase until now that hazardous or nonhazardous chemicals, or any other industrial wastes, residues or by-products, including paint wastes and/or paint-related materials, were present at the Site or any portion of the Site? If so, please state the date, nature and extent of your knowledge.

11. During your ownership, has there ever been a release of any hazardous substance (see Definitions above) at the Site or any portion of the Site? If yes, state the date of the release, identify the material released, the location of the release, and the quantity of the material released.
12. Have you ever observed petroleum sheens, discolored soil, or other indications of chemical releases during your ownership of the Site or any portion of the Site? If so, describe.
13. State the names, telephone numbers and present or last known addresses of all individuals whom you have reason to believe may have knowledge, information or documents regarding the use, storage, disposal, generation or handling of hazardous substances, hazardous wastes and industrial wastes at the Site, the transportation of such materials to the Site, or the identity of any companies whose material may have been treated or disposed of at the Site.
14. Did you ever obtain any real estate appraisals for the Site or any portion of the Site? If yes, provide a copy of each such appraisal.
15. Have you or any other entity ever conducted soil-moving activities or filling at the Site or any portion of the Site? If so, describe.
16. Other than EPA, did any government agency ever conduct any environmental investigations or cleanups at the Site or any portion of the Site? If so, identify the agency, the date of the activities and describe the activities conducted.
17. Provide copies of all documents in your possession regarding Site contamination and/or sampling results, including, but not limited to, all documents to or from engineering or environmental consultants.
18. Were any hazardous substances ever generated or removed from the Site, or any portion of the Site, by a government agency or yourself?
19. Has the Site, or any portion of the Site, been the subject of any inspection by any Town, County or State regulatory agencies concerning fire, safety, health, or occupational matters? If yes, describe each such inspection and provide copies of all relevant documents.
20. Provide copies of all maps or other depictions of the Site and any photographs in your possession that involve the Site or any other persons or companies that operated at the Site.

21. Please identify any other entities that have owned or conducted operations at the Site, or any portion of the Site, and provide any documents pertaining to such ownership or operation. For each entity, further identify the dates of their involvement at the Site, the nature of their involvement at the Site, and all evidence that hazardous substances were released or threatened to be released at the Site during the period which they owned or operated the Site.
22. State the name, address, telephone number, title and occupation of each person answering this Request for Information and state whether such person has personal knowledge of the answers. In addition, identify each person who assisted or was consulted in the preparation of this Request for Information.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of N.J.

County of CAMDEN:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

MARGARET CAMPBELL
NAME (print or type)

SECRETARY
TITLE (print or type)

Margaret Campbell
SIGNATURE

Sworn to before me this

20th day of Aug., 1996

Diane D. Johnson
Notary Public

DIANE D. JOHNSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 10, 2000